

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAKE CHARLES DIVISION**

The State of LOUISIANA,  
By and through its Attorney General,  
Elizabeth B. Murrill; et al.,

PLAINTIFFS,

v.

Joseph R. BIDEN, Jr. in his official capacity as  
President of the United States; et al.,

DEFENDANTS.

Civil Action No. 2:24-cv-00406-JDC-TPL

Judge James D. Cain, Jr.  
Magistrate Judge Thomas P. LeBlanc

**Joint Motion to Extend Time to Answer and Set Schedule**

The parties jointly move for additional time for Defendants to file an answer and for the Court to enter the attached order and adopt the schedule proposed in this motion. The parties respectfully stipulate as follows:

1. On March 21, 2024, the State of Louisiana, along with the States of Alabama, Alaska, Arkansas, Florida, Georgia, Kansas, Mississippi, Montana, Nebraska, Oklahoma, South Carolina, Texas, Utah, West Virginia, and Wyoming, filed a lawsuit against Defendants challenging the lawfulness of an alleged January 26, 2024 decision. ECF No. 1.

2. On March 28, 2024, Plaintiffs filed a motion for a stay under 5 U.S.C. § 705 or a preliminary injunction. ECF No. 13. On May 6, 2024, Defendants filed an opposition and a motion to dismiss. ECF No. 26.

3. The Court held a hearing on the motions on June 20, 2024. ECF No. 70. On July 1, 2024, the Court granted Plaintiffs' motion for a preliminary injunction and denied Defendants' motion to dismiss (except as to a few claims against one defendant). ECF Nos. 72–73.

4. Defendants would like an extension of their deadline to file their answer until 14 days after the expiration of their deadline to file an appeal (September 10, 2024). Their answer is currently due on July 15, 2024.

5. Defendants have agreed that the extension of an answer deadline will not delay production of the Administrative Record.<sup>1</sup> Specifically, they have agreed to produce the Administrative Record on or before September 10, 2024.

6. The parties have agreed to have another meet-and-confer call in September to discuss whether additional briefing deadlines should be set depending on whether Defendants appeal the Court's recent order. Parties will then submit a status report to the Court or a motion for a new scheduling order.

7. Accordingly, the parties have negotiated the following schedule:

<b>Event</b>	<b>Deadline</b>
Defendants' Answer	September 10, 2024
Defendants Produce the Administrative Record to Plaintiffs and File the Table of Contents with the Court	September 10, 2024
Status Report or Motion for Scheduling Order	September 30, 2024

8. The parties believe the foregoing schedule would promote efficiency and preserve resources.

---

<sup>1</sup> By agreeing to file an administrative record, the Department of Energy does not concede that it took final agency action, but instead acknowledges the Court's preliminary ruling to the contrary.

Dated: July 12, 2024

TODD KIM  
Assistant Attorney General  
Environment and Natural Resources Division  
United States Department of Justice

/s/ J. Scott Thomas

J. SCOTT THOMAS  
KATHARINE LAUBACH  
MAGGIE WOODWARD  
Trial Attorneys  
Natural Resources Section  
United States Department of Justice  
P.O. Box 7611  
Washington, D.C. 20044-7611  
Telephone: (202) 514-3553 (Thomas)  
Telephone: (202) 305-8568 (Laubach)  
Telephone: (202) 305-4224 (Woodward)  
jeffrey.thomas2@usdoj.gov  
katharine.laubach@usdoj.gov  
maggie.woodward@usdoj.gov

THOMAS SNODGRASS  
JEFFREY CANDRIAN  
Trial Attorneys  
Natural Resources Section  
999 18th St., South Terrace, Suite 370  
Denver, Colorado 80202  
Ph: 303-844-1382 (Candrian)  
Email: Jeffrey.candrian@usdoj.gov

*Attorneys for Defendants*

Respectfully submitted,

**ELIZABETH B. MURRILL**  
**Attorney General of Louisiana**

/s/ Morgan Brungard  
Morgan Brungard (La #40298)

*Deputy Solicitor General*

/s/ Autumn Hamit Patterson

Autumn Hamit Patterson\*  
*Special Assistant Solicitor General*  
OFFICE OF THE LOUISIANA ATTORNEY  
GENERAL  
1885 North Third Street  
Baton Rouge, LA 70804  
(225) 326-6766  
brungardm@ag.louisiana.gov  
ahamitpatterson@outlook.com

Tyler R. Green\*  
Daniel Shapiro\*  
CONSOVOY McCARTHY PLLC  
222 S. Main Street, 5th Floor  
Salt Lake City, UT 84101  
(703) 243-9423

*Counsel for Plaintiff State of Louisiana*

**KEN PAXTON**  
Attorney General of Texas  
**BRENT WEBSTER**  
First Assistant Attorney General  
**JAMES LLOYD**  
Deputy Attorney General for Civil Litigation  
**KELLIE E. BILLINGS-RAY**  
Chief, Environmental Protection Division

Ian M. Lancaster\*  
*Assistant Attorney General*  
H. Carl Myers\*  
*Assistant Attorney General*  
OFFICE OF THE ATTORNEY  
GENERAL OF TEXAS  
ENVIRONMENTAL PROTECTION DIVISION  
P.O. Box 12548, MC-066  
Austin, Texas 78711-2548  
Telephone (512) 463-2012  
Facsimile (512) 320-0911  
Amber.Ahmed@oag.texas.gov  
Ian.Lancaster@oag.texas.gov  
Carl.Myers@oag.texas.gov

*Counsel for Plaintiff State of Texas*

**LYNN FITCH**  
Attorney General of Mississippi

Justin L. Matheny\*  
*Deputy Solicitor General*  
MISSISSIPPI ATTORNEY GENERAL'S  
OFFICE  
P.O. Box 220  
Jackson, MS 39205  
(601) 359-3680  
justin.matheny@ago.ms.gov

*Counsel for Plaintiff State of  
Mississippi*

**STEVE MARSHALL**  
Attorney General of Alabama

Edmund G. LaCour Jr.\*  
*Solicitor General*  
OFFICE OF THE ATTORNEY GENERAL  
STATE OF ALABAMA  
501 Washington Avenue  
P.O. Box 300152  
Montgomery, Alabama 36130-0152  
Telephone: (334) 242-7300  
Fax: (334) 353-8400  
Edmund.LaCour@AlabamaAG.gov

*Counsel for Plaintiff State of Alabama*

**TREG TAYLOR**  
Attorney General of Alaska

Mary Hunter Gramling\*  
STATE OF ALASKA  
DEPARTMENT OF LAW  
P.O. Box 110300  
Juneau, AK 99811-0300  
Telephone: (907) 465-3600  
Facsimile: (907) 465-2520  
Email: mary.gramling@alaska.gov

*Counsel for Plaintiff State of Alaska*

Nicholas J. Bronni\*  
*Solicitor General*  
Dylan L. Jacobs\*  
*Deputy Solicitor General*  
OFFICE OF THE ARKANSAS ATTORNEY  
GENERAL  
323 Center Street, Suite 200  
Little Rock, AR 72201  
(501) 682-6302  
Nicholas.Bronni@ArkansasAG.gov  
dylan.jacobs@arkansasag.gov

*Counsel for Plaintiff State of Arkansas*

**ASHLEY MOODY**  
**Attorney General of Florida**

Natalie P. Christmas\*  
*Counselor to the Attorney General*  
OFFICE OF THE FLORIDA ATTORNEY  
GENERAL  
PL-01 the Capitol  
Tallahassee, Florida 32399  
(850) 414-3300  
natalie.christmas@myfloridalegal.com

*Counsel for Plaintiff State of Florida*

**KRIS W. KOBACH**  
**Attorney General of Kansas**

Erin B. Gaide\*  
*Assistant Attorney General*  
Memorial Building, 2nd Floor  
120 S.W. 10th Avenue  
Topeka, Kansas 66612-1597  
Tel: (785) 296-2215  
Fax: (785) 296-2218  
Email: erin.gaide@ag.ks.gov

*Counsel for Plaintiff State of Kansas*

**MICHAEL T. HILGERS**  
**Attorney General of Nebraska**

Grant D. Strobl\*  
*Assistant Solicitor General*  
OFFICE OF THE NEBRASKA ATTORNEY  
GENERAL  
2115 State Capitol  
Lincoln, NE 68509  
(402) 471-2683  
Grant.Strobl@nebraska.gov

*Counsel for Plaintiff State of Nebraska*

**CHRISTOPHER M. CARR**  
**Attorney General of Georgia**

Stephen J. Petrany\*  
*Solicitor General*  
OFFICE OF THE ATTORNEY GENERAL  
40 Capitol Square SW  
Atlanta, Georgia 30334  
(404) 458-3408  
spetrany@law.ga.gov

*Counsel for Plaintiff State of Georgia*

**AUSTIN KNUDSEN**  
**Attorney General of Montana**

Christian B. Corrigan\*  
*Solicitor General*  
MONTANA DEPARTMENT OF JUSTICE  
215 North Sanders  
P.O. Box 201401  
Helena, Montana 59620-1401  
(406) 444-2026  
christian.corrigan@mt.gov

*Counsel for Plaintiff State of Montana*

**GENTNER DRUMMOND**  
**Attorney General of Oklahoma**

Garry M. Gaskins, II\*  
*Solicitor General*  
OFFICE OF OKLAHOMA ATTORNEY  
GENERAL  
313 NE 21st Street  
Oklahoma City, Oklahoma 73105  
(405) 521-3921  
Garry.Gaskins@oag.ok.gov

*Counsel for Plaintiff State of  
Oklahoma*

**ALAN WILSON**  
**Attorney General of South Carolina**

Joseph D. Spate\*  
*Assistant Deputy Solicitor General*  
1000 Assembly Street  
Columbia, SC 29201  
(803) 734-3371  
josephspate@scag.gov

*Counsel for Plaintiff State of South Carolina*

**PATRICK MORRISEY**  
**Attorney General of West Virginia**

Michael R. Williams\*  
*Principal Deputy Solicitor General*  
OFFICE OF THE WEST VIRGINIA  
ATTORNEY GENERAL  
1900 Kanawha Blvd. East  
Building 1, Room E-26  
Charleston, WV 25305  
Tel: (304) 558-2021  
Michael.R.Williams@wvago.gov

*Counsel for Plaintiff State of West Virginia*

\*admitted *Pro Hac Vice or Pro Hac Vice admission application forthcoming*

**SEAN D. REYES**  
**Attorney General of Utah**

Stanford E. Purser\*  
*Utah Solicitor General*  
350 N. State Street, Suite 230  
P.O. Box 142320  
Salt Lake City, UT 84114-2320  
Telephone: (801) 538-9600  
spurser@agutah.gov

*Counsel for Plaintiff State of Utah*

**BRIDGET HILL**  
**Attorney General of Wyoming**

D. David DeWald\*  
*Deputy Attorney General*  
OFFICE OF THE ATTORNEY GENERAL  
OF WYOMING  
109 State Capitol  
Cheyenne, WY 82002  
(307) 777-7895  
david.dewald@wyo.gov

*Counsel for Plaintiff State of Wyoming*

**CERTIFICATE OF CONFERENCE**

Pursuant to Local Rule 7.4.1, I hereby certify that counsel had a meet-and-confer call on July 12, 2024. In subsequent email exchanges, Defendants' counsel informed me that Defendants consent and join the foregoing motion.

*/s/ Autumn Hamit Patterson*  
Autumn Hamit Patterson

**CERTIFICATE OF SERVICE**

I hereby certify that, on July 12, 2024, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all CM/ECF participating attorneys.

*/s/ Autumn Hamit Patterson*  
Autumn Hamit Patterson